



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

#3

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I hereby claim the benefit under Title 35, United States Code, 119(e) of any United States provisional application(s) identified below:

Provisional application No. 60/112,379 filed on December 14, 1998.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **COMMUNICATIONS SYSTEM AND ASSOCIATED METHODS WITH OUT-OF-BAND CONTROL** the specification of which *was filed on December 13, 1999, as application Serial No. 09/459,831.*

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Lester H. Birnbaum	(Reg. No. 25830)
Richard J. Botos	(Reg. No. 32016)
Jeffery J. Brosemer	(Reg. No. 36096)
Kenneth M. Brown	(Reg. No. 37590)
Craig J. Cox	(Reg. No. 39643)
Donald P. Dinella	(Reg. No. 39961)
Guy Eriksen	(Reg. No. 41736)
Martin I. Finston	(Reg. No. 31613)
James H. Fox	(Reg. No. 29379)
William S. Francos	(Reg. No. 38456)
Barry H. Freedman	(Reg. No. 26166)
Julio A. Garceran	(Reg. No. 37138)
Mony R. Ghose	(Reg. No. 38159)
Jimmy Goo	(Reg. No. 36528)
Anthony Grillo	(Reg. No. 36535)
Stephen M. Gurey	(Reg. No. 27336)
John M. Harman	(Reg. No. 38173)
Michael B. Johannesen	(Reg. No. 35557)
Mark A. Kurisko	(Reg. No. 38944)
Irena Lager	(Reg. No. 39260)
Christopher N. Malvone	(Reg. No. 34866)
Scott W. McLellan	(Reg. No. 30776)
Martin G. Meder	(Reg. No. 34674)
John C. Moran	(Reg. No. 30782)
Michael A. Morra	(Reg. No. 28975)
Gregory J. Murgia	(Reg. No. 41209)
Claude R. Narcisse	(Reg. No. 38979)
Joseph J. Opalach	(Reg. No. 36229)
Neil R. Ormos	(Reg. No. 35309)
Eugen E. Pacher	(Reg. No. 29964)
Jack R. Penrod	(Reg. No. 31864)
Daniel J. Piotrowski	(Reg. No. 42079)
Gregory C. Ranieri	(Reg. No. 29695)
Scott J. Rittman	(Reg. No. 39010)
Eugene J. Rosenthal	(Reg. No. 36658)
Bruce S. Schneider	(Reg. No. 27949)
Ronald D. Slusky	(Reg. No. 26585)
David L. Smith	(Reg. No. 30592)



Full name of 3rd joint inventor: **CHARLES ALBERT WEBB III**

Inventor's
signature

Handwritten signature of Charles Albert Webb III.

Date Jan 10, 2002

Residence: Rumson, New Jersey

Citizenship: USA

Post Office Address: 62 Waterman Avenue
Rumson, New Jersey 07760 USA

Full name of 4th joint inventor: **LESLEY JEN-YUAN WU**

Inventor's
signature

Handwritten signature of Lesley Jen-Yuan Wu.

Date 17 Jan 2000

Residence: ~~Mountain Lakes~~ Parsippany, New Jersey

off W / C-2 / H.T. / mss

Citizenship: USA

Post Office Address: 161 Intervale Road
Mountain Lakes, New Jersey 07046 USA



ATTACHMENT A

Attorney Names:	<u>Christopher F. Regan</u>	Reg. No.: <u>34,906</u>
	<u>Jeffrey S. Whittle</u>	<u>36,382</u>
	<u>Richard K. Warther</u>	<u>32,180</u>
	<u>Michael W. Taylor</u>	<u>43,182</u>
	<u>Henry Estevez</u>	<u>37,823</u>
	<u>Paul J. Ditmyer</u>	<u>40,455</u>

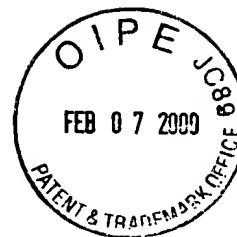
Telephone calls should be made to **CHRISTOPHER F. REGAN** at:

Phone No.: 407-841-2330

Fax No.: 407-841-2343

All written communications are to be addressed to:

CHRISTOPHER F. REGAN
Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.
P.O. Box 3791
Orlando, FL 32802-3791



Patricia A. Verlangieri	(Reg. No. 42201)
John P. Veschi	(Reg. No. 39058)
David Volejnicek	(Reg. No. 29355)
Charles L. Warren	(Reg. No. 27407)
Jeffrey M. Weinick	(Reg. No. 36304)
Eli Weiss	(Reg. No. 17765)

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Full name of 1st joint inventor: **MICHAEL S. SHAFFER**

Inventor's
signature Michael S. Shaffer Date 01/24/2000

Residence: Lynnfield, Massachusetts

Citizenship: USA

Post Office Address: 5 Fall Way
Lynnfield, Massachusetts 01940 USA

Full name of 2nd joint inventor: **HIMANSHU MAHENDRA THAKER**

Inventor's
signature Himanshu Mahendra Thaker Date Jan. 10, 2000

Residence: Summit, New Jersey

Citizenship: ~~USA~~ Canadian H.T. / CA / H.T. / M.S.S.

Post Office Address: 18 Prospect Street
Summit, New Jersey 07901